

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Gloria A. Tucker,

Plaintiff,

v.

Nancy A. Berryhill, Acting Commissioner
of Social Security,

Defendant.

C/A No.: 0:15-cv-03750-RBH

ORDER

On April 27, 2017, Plaintiff filed a motion for attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 42 U.S.C. § 2412, on the basis that the position taken by the defendant in this action was not substantially justified. In the motion, Plaintiff requested attorney's fees in the amount of \$3,796.31 and expenses in the amount of \$16.00. On May 9, 2017, the Commissioner filed a response in support of Plaintiff's motion indicating no objection to an award of \$3,796.31 in attorney's fees and \$16.00 in expenses. The Commissioner noted, however, that the fees awarded should be paid to the prevailing party and not the attorney and would be subject to the Treasury Offset Program if the prevailing party owes a debt to the government.

Based on the foregoing and after considering the briefs and materials submitted by the parties, the court orders the defendant to pay the sum of \$3,796.31 in attorney's fees and \$16.00 in expenses pursuant to EAJA. However, the payment shall be made payable to the claimant pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010) and mailed to her attorney, with a copy to the claimant.

IT IS SO ORDERED.

May 10, 2017
Florence, South Carolina

s/ R. Bryan Harwell

R. Bryan Harwell
United States District Judge